

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 372 – SB 558

February 6, 2018

SUMMARY OF ORIGINAL BILL: Enacts the *Tom Cronan Physical Education Act*, which requires each student in elementary school to participate in a physical education class (P.E.) at least twice a week. Each P.E. class shall be taught by a licensed teacher that has a P.E. endorsement or by a P.E. specialist. Prohibits students from being exempted from a P.E. class unless they have a written note from a physician. Requires each local education agency (LEA) to annually verify that it has met the requirements of this act. The effective date of the bill is July 1, 2018.

CORRECTED FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures - \$253,600/FY18-19 and Subsequent Years*

SUMMARY OF AMENDMENT (012721): Deletes and rewrites the bill such that the only substantive changes are to include language requiring LEAs to provide students with disabilities the appropriate accommodations in physical education classes as prescribed by Individuals with Disabilities Education Act, compiled in 20 U.S.C. § 1400 et seq., Section 504 of the Rehabilitation Act compiled in 29 U.S.C § 701 et seq., or the student's Individualized Education Program (IEP); and to exempt schools in Dyer and Carter Counties from the provisions of the legislation until the 2021-2022 school year.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase Local Expenditures – \$131,600/FY21-22 and Subsequent Years*

Assumptions Relative to the Bill as Amended:

- No change in the Basic Education Program (BEP) funding formula.
- Most LEAs are already meeting the requirements of the legislation or will be able to restructure their class schedules or make other changes to accommodate the requirements of this legislation without an increase in local expenditures.
- LEAs are currently required to comply with the requisite federal law as well as a student's IEP. As a result, there is no fiscal impact to state and local government resulting from the additional requirement to provide students with disabilities the appropriate accommodations.

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- Based on information gathered from the Department of Education (DOE) and various local officials, two counties will need to add P.E. teachers under this legislation: Carter County and Dyer County.

Assumptions Relative to Carter County:

- Carter County will need to hire one full-time P.E. teacher and one part-time P.E. teacher for the 2021-2022 school year.
- Based on information from DOE, the average salary and benefits of a full-time P.E. teacher is \$48,265 and the average salary and benefits for a part-time P.E. teacher is \$30,273.
- The mandatory recurring increase in local expenditures applicable to Carter County beginning in FY21-22 is estimated to be \$78,538 (\$48,265 + \$30,273).

Assumptions Relative to Dyer County:

- Dyer County Schools will replace five current teaching assistants with four P.E. teachers (where one P.E. teacher will split time between two schools) for the 2021-2022 school year.
- The average teaching assistant salary and benefits is \$28,000. The average P.E. teacher salary and benefits is \$48,265.
- The net mandatory recurring increase in local expenditures beginning in FY21-22 is estimated to be \$53,060 [(\$48,265 x 4) – (\$28,000 x 5)].

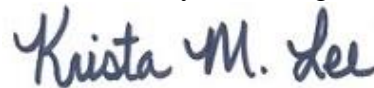
Assumption Relative to the Total Impact:

- The total mandatory recurring increase in local government expenditures is estimated to be \$131,598 (\$53,060 + \$78,538) in FY21-22 and subsequent years.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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